



**CITY COUNCIL MINUTES  
MONDAY, NOVEMBER 20, 2023**

THIS MEETING WAS CONDUCTED IN-PERSON AT 33 CHURCH STREET,  
**THE PUBLIC WAS ABLE TO VIEW FROM HOME:**

Join Zoom Meeting

<https://us02web.zoom.us/j/9568520224>

**6:30 P.M.**

**CLOSED SESSION**

A. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION  
(Paragraph (1) of subdivision (d) of Gov. Code Section 54956.9)  
SEIU Local 1021 v. City of Sutter Creek, California Pub. Emp. Rel. Bd.  
No. SA-CE-1244-M

B. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION  
(Paragraph (1) of subdivision (d) of Gov. Code Section 54956.9)  
Van Der Veen v. City of Sutter Creek, Amador Sup. Ct. Case  
No. 23CV13156

**1. CALL TO ORDER AND ESTABLISH A QUORUM FOR REGULAR MEETING**

Council members present:

Feist, Riordan, Sierk, Swift and Gunselman  
Vicky Runquist, City Treasurer

Staff Present:

Tom DuBois, City Manager  
Derek Cole, City Attorney  
Karen Darrow, City Clerk

**2. PLEDGE OF ALLEGIANCE TO THE FLAG**

**REPORT FROM CLOSED SESSION**

City Attorney Cole reported that there was no reportable action.

**3. PRESENTATIONS**

- A. Introduction of Public Works Director Dan Lafontaine
- B. Introduction of Officer Alfonso Casias
- C. Proclamation for Interim City Manager Sandra Spellicsy

**4. PUBLIC FORUM**

Sharyn Brown asked questions about the Danco project noting that she had already asked the question at the Planning Commission meeting.

Teresa Ryan noted her thanks for the answers to Sharyn Browns questions at the Planning Commission meeting and asked if there are state and local restrictions that would prevent someone with a criminal history from residing in the apartments and how that criminal information is obtained.

Aimee Pederson invited the City Council to the tree lighting and asked Mayor Gunselman to be the MC.

Jeff Campbell requested enforcement for the people living in trailers on commercial property at the top of the hill and suggested that the road should be closed.

Charles Logan lives across the road from the property where people are living in the trailers and noted his concern that they do not have a building permit, they have power and water connections, no weed abatement and increase traffic and police activity and a drain on community resources.

**5. CITY MANAGER'S REPORT**

City Manager DuBois noted that many answers to the Danco project are on the website and encouraged people to reach out to the County and to Danco with questions about the project. He also mentioned that code enforcement is working to address the issues mentioned.

City Manager DuBois noted his gratitude toward the council and to city staff for his welcome to the city. There will be an Open House on December 4<sup>th</sup> to meet city staff as there a several new members.

City Manager DuBois reviewed the following:

Received a Grant from ACTC for \$57,000 to be used for road safety improvements. Sierra Business Council is providing a fellow starting in January who will look at sustainability and energy efficiency in city buildings and may also be able to provide assistance to small business owners and look at EV charging. Program paid for by PG&E. CalFire doing more clearing in the Creek. Campbell Construction removed logs from the flushing dam and fixed some damage to the Sewer plant, staff will be seeking FEMA reimbursement for both projects.

City Manager DuBois noted that the SCBPA will be paying for and running the Visit Sutter Creek website and social media and the city will focus on the city website and work to broaden the City's social media. He reported that there is an opening on the Design Review Committee and the Christmas decorations are going up this week and noted that there are several events coming up through December.

**6. APPROVAL OF MINUTES**

A. City Council Minutes of November 6, 2023.

*Recommendation: By motion approve minutes as presented.*

**M/S Council member Swift/Sierk to approve the City Council Minutes of November 6, 2023, as amended.**

**AYES:** Feist, Sierk, Riordan, Swift and Gunselman  
**NOES:** None  
**ABSTAIN:** None  
**ABSENT:** None  
**MOTION CARRIED**

**7. CONSENT AGENDA**

A. Adopt Resolution 23-34-\* Authorizing the execution of an exclusive easement across 16.25 square feet of City owned property located at 80 Eureka Street (APN 018-180-031-000) for ingress and egress in favor of the owners of the property located at 101 Eureka Street (APN018-190-002-000) and finding the proposed action exempt under the “common sense” exemption of the California Environmental Quality Act.

Property owner Byron Damiani noted that there was a concern over the accuracy of the legal description and requested the ability for it to be adjusted if necessary.

City Attorney Cole confirmed that the possible discrepancy is very minor and is a placement issue not a size issue.

**M/S Council member Swift/Riordan to Adopt Resolution 23-34-16 Authorizing the execution of an exclusive easement across 16.25 square feet of City owned property located at 80 Eureka Street (APN 018-180-031-000) for ingress and egress in favor of the owners of the property located at 101 Eureka Street (APN018-190-002-000) and finding the proposed action exempt under the “common sense” exemption of the California Environmental Quality Act and giving staff the ability to modify legal language as needed and be brought back to Council if any significant discrepancies are found.**

**AYES:** Feist, Sierk, Riordan, Swift and Gunselman  
**NOES:** None  
**ABSTAIN:** None  
**ABSENT:** None  
**MOTION CARRIED**

**8. ORDINANCES & PUBLIC HEARING**

A. Waive the second reading in full and enact Ordinance No. \_\_\_\_\_ Amending Sections 2.06 & 2.08 of the Sutter Creek Municipal Code.

**M/S Council member Riordan/Sierk to Waive the second reading in full and enact Ordinance No 374 Amending Sections 2.06 & 2.08 of the Sutter Creek Municipal Code.**

**AYES:** Feist, Sierk, Riordan, Swift and Gunselman  
**NOES:** None  
**ABSTAIN:** None  
**ABSENT:** None  
**MOTION CARRIED**

**9. ADMINISTRATIVE AGENDA**

A. Action Item – Authorize Staff Work on a Self-Help Tax Initiative

City Manager DuBois presented options for a potential revenue generating ballot measure and asked for staff direction regarding the following:

- Should staff pursue a local tax?
- If yes, should staff develop a sales tax measure, a Utility Use tax measure, or both?
  - a. If interested in a utility use tax, which utilities?
  - b. Interested in exemptions for people based on certain characteristics?
- Additional feedback on priority uses of additional funding
- Thoughts on general tax vs a specific tax

The council discussed the options presented.

The Council directed staff to start the work to pursue a general sales tax with no sunset.

Jeff Campbell commented that there was successful sales tax implementation in Placerville specific to infrastructure and noted that if a consultant is used it will cost the first year's tax revenue.

City Attorney Cole noted that using a consultant will increase the likelihood of success.

**10. MAYOR AND COUNCIL MEMBER REPORTS**

Council member Swift noted that he will attend the Fire District meeting tomorrow.

Council member Riordan reported that he met with ACTC Executive Director John Gedney about 405k awarded to repair Eureka Rd. between Sutter Hill Rd. and Old Ridge Rd.

**11. CITY ATTORNEY'S REPORT - None**

**12. FUTURE AGENDA ITEMS**

Council member Sierk:  
Bike/ped Committee update  
Bike rack program

Council member Riordan:  
Jean Pinotti reimbursement

**13. INFORMATION/CORRESPONDENCE**

- A. Monthly Police Report
- B. Monthly Public Works Report
- C. Monthly Building Report
- D. Treasurer's Report
- E. Monthly Administrative Services Report
- F. Monthly Finance Department Report
- G. Warrants- Oct.30th & Nov 6<sup>th</sup> &20<sup>th</sup>, 2023
- H. Monthly Engineer's Report
- I. Monthly Planning Report

J. Public Communications  
So noted.

**14. ADJOURNMENT**

The meeting was adjourned at 8:37 p.m.

*Claire Gunselman*

---

Claire Gunselman, Mayor

*Karen Darrow*

---

Karen Darrow, City Clerk

Date Approved: December 18, 2023